

1-1 By: Perry S.B. No. 2440
1-2 (In the Senate - Filed March 10, 2023; March 23, 2023, read
1-3 first time and referred to Committee on Water, Agriculture & Rural
1-4 Affairs; April 3, 2023, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 8, Nays 0;
1-6 April 3, 2023, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2440 By: Perry

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to requiring certain plats for the subdivision of land to
1-22 include proof of groundwater supply.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 212.0101(a), Local Government Code, is
1-25 amended to read as follows:

1-26 (a) If a person submits a plat for the subdivision of a
1-27 tract of land for which the source of the water supply intended for
1-28 the subdivision is groundwater under that land, the municipal
1-29 authority responsible for approving plats by ordinance shall ~~may~~
1-30 require the plat application to have attached to it a statement
1-31 that:

1-32 (1) is prepared by an engineer licensed to practice in
1-33 this state or a geoscientist licensed to practice in this state; and

1-34 (2) certifies that adequate groundwater is available
1-35 for the subdivision.

1-36 SECTION 2. Section 232.0032(a), Local Government Code, is
1-37 amended to read as follows:

1-38 (a) If a person submits a plat for the subdivision of a tract
1-39 of land for which the source of the water supply intended for the
1-40 subdivision is groundwater under that land, the commissioners court
1-41 of a county by order shall ~~may~~ require the plat application to
1-42 have attached to it a statement that:

1-43 (1) is prepared by an engineer licensed to practice in
1-44 this state or a geoscientist licensed to practice in this state; and

1-45 (2) certifies that adequate groundwater is available
1-46 for the subdivision.

1-47 SECTION 3. The changes in law made by this Act apply only to
1-48 a plat application filed on or after the effective date of this Act.
1-49 A plat application filed before the effective date of this Act is
1-50 governed by the law in effect on the date the application was filed,
1-51 and the former law is continued in effect for that purpose.

1-52 SECTION 4. This Act takes effect immediately if it receives
1-53 a vote of two-thirds of all the members elected to each house, as
1-54 provided by Section 39, Article III, Texas Constitution. If this
1-55 Act does not receive the vote necessary for immediate effect, this
1-56 Act takes effect September 1, 2023.

1-57 * * * * *